REMARK

Claims 1-46 are pending in the application. Claims 41-46 stand rejected. Claims 41-46 are cancelled without prejudice or a disclaimer. Claims 1, 19, 28, 36, and 41 are independent claims.

Claim Listing in Accordance to 37 CFR § 1.173(b)

The Applicants respectfully submit a complete listing of the claims in compliance with 37 CFR § 1.173(b).

Claims 1-40 are original claims from US Patent No. 6,020,592.

New claims 41-46, previously presented via a preliminary amendment mailed April 17, 2001, are now cancelled without prejudice or a disclaimer.

Allowable Claims

The Applicant wishes to thank the Examiner for indicating that claims 1-40 are allowable. As new claims 41-46 are cancelled, the Applicants believe that each claim of the present application is in condition for allowance.

Request for Information under 37 C.F.R. §41.202(a)(1) – (a)(6)

In accordance to the Applicants' previous request for declaration of an Interference Proceeding, the Patent Office requests a submission of information required under 37 C.F.R. §41.202(a)(1) – (a)(6).

The Applicants withdraw the request for declaration of an Interference Proceeding and request the Patent Office to withdraw the request of information under 37 C.F.R. §41.202(a)(1) – (a)(6).

As such, the Applicants respectfully request withdrawal of the request for a submission of information under 37 C.F.R. §41.202(a)(1) – (a)(6).

Objections

Information Disclosure Statement ("IDS") filed on November 26, 2001 appears to be objected to for allegedly being improper. The Patent Office indicates that the IDS should state "Information material to the patentability of the application under 1.56."

The Applicants respectfully submits that IDS filed on November 26, 2001 includes statements stating that "[b]y submitting thin Information Disclosure Statement, the Applicant[s] make[] no representation that a search has been performed, or the extent of any search performed, or that more relevant information does not exist. By submitting this Information Disclosure Statement, the Applicant[s] make[] no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). By submitting this Information Disclosure Statement, the Applicant[s] make[] no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102" ()

The Applicant also submits that 37 C.F.R. 1.56 does not require a specific statement that the "information provided in the IDS is material the patentability of the application under 1.56."

Accordingly, the Applicant respectfully requests withdrawal of the objection.

The reissue oath/declaration associated with the present application appears to be objected to for allegedly being improper for failing to indentify at least one error which is relied upon to support the reissue application.

The Applicants submits a new oath/declaration specifically indentify at least one error which is relied upon to support the reissue application.

The Applicants respectfully request withdrawal of the objection.

Rejections

Claims 1-46 stands rejected as allegedly being based upon a defective reissue declaration under 35 U.S.C. 251.

The Applicants respectfully requests withdrawal of the rejection on the ground that the Applicants have submitted a proper declaration with the present response.

As each of the pending claims 1-40 are allowable, the Applicants respectfully request passage of the claims and issuance of a Reissue patent.

Should the Examiner deem that there is any issue which may be best resolved by telephone, the Examiner is respectfully requested to contact the representative undersigned below. Please charge any additional fees or credit any overpayments to deposit account No. 50-0896.

Respectfully submitted,
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